Remarks

1. Introduction

Claims 1-24 and 32-76 are pending. Claims 1, 14, 32, 38, 46, 58, and 72 are independent claims.

2. Addition to the specification

Applicants include an addition to the specification. The addition is from U.S. Patent Application Serial No. 10/385,036 entitled Method And System For Content Driven Electronic Messaging and filed on March 10, 2003, which is enclosed for the Examiner's convenience at Exhibit A. Application Serial No. 10/385,036 is a continuation application of U.S. Patent Application Serial No. 09/661,882 filed on September 14, 2000. The present application incorporates by reference U.S. Patent Application Serial No. 09/661,882 as shown in the following excerpt:

> Cross reference is made to a related invention disclosed in U.S. patent application entitled Method And System For Content Driven Electronic Messaging, filed concurrently, the subject matter of which is owned by the present applicants and the teachings of which are incorporated herein by reference.

Page 1, lines 10-13 of the present application. Applicants include the following text from U.S. Patent Application Serial No. 09/661,882:

> page 23, line 4 – page 24

Applicants believe that the text is identical to the excerpt listed above from U.S. Patent Application Serial No. 09/661,882. Applicants do not believe that any new matter has been added by this amendment.

3. Objection to the Claims

Claim 39 was objected to because it depends on itself. Applicants have amended claim 39 to correct the dependency of the claim.

4. Rejections based on 35 U.S.C. §112, second paragraph

Claims 7, 8, 12, 39, and 44 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out the subject matter of the invention. Applicants have amended the claims where it is believe appropriate.

5.   Rejections based on 35 U.S.C. §§102, 103

Claims 1-61 were rejected under 35 U.S.C. §§102, 103 as being unpatentable. Applicants address the claims below.

A.   Claim 1

Claim 1 was rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,899,995 to Millier et al. The Millier reference discloses a method and apparatus for automatically organizing information sent to computer system 10. An electronic filing system, resident in computer system 10 and called the "SmartFolder IFS", automatically organizes information hierarchically into a number of storage elements or folders. The SmartFolder IFS is composed of a set of user defined rules that allow a document to be filed in multiple contexts of the user's choosing. See col. 3, lines 14-35.

By contrast, claim 1 is directed to an intelligent processing platform that selects an endpoint from a plurality of endpoints in which to send a communication based on a user-defined endpoint table. Specifically, claim 1 recites "accessing a user-defined endpoint table, the endpoint table correlating endpoints with routing indicators" and "selecting at least one endpoint from a plurality of endpoints based on the routing indicator in the electronic message and the user-defined endpoint table". This is distinct from the teachings of the Millier reference. As a general matter, the Millier reference does not teach a method or apparatus for selecting an endpoint from a plurality of endpoints. Rather, the Millier reference teaches that computer system 10 is the only endpoint to which a communication may be sent. In the present application, the user may have a plurality of endpoints. Examples of endpoints may include a phone (cellular or landline), an e-mail address, a facsimile machine, etc. Depending on the "routing indicator," such as the immediacy of the message (see claim 7), the platform of the present invention directs the communication is sent to an endpoint determined by the user-defined endpoint table. In this manner, the user may define, based on the routing indicators, which endpoint devices may receive electronic communications. Thus, applicants believe that claim 1, and claims 2-13 and 62-65 which ultimately depend on claim 1, are patentable over the cited art.

B.   Claim 14

Claim 14 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,314,434 to Shigemi et al. The Shigemi reference discloses a structured data management system comprised of three main elements: an input/output interface unit 1, a structure data storage unit 2, and a structured data processing unit 3. The elements work in combination to process incoming messages. In particular, the structured data storage unit 2 stores structured data objects, each of which is expressed as a tree structure having a plurality of nodes. Each node represents a unit of data to be processed and is associated with a process script that defines what process should be executed. Upon receipt of a message from the input/output interface 1, the structured data processing unit 3 identifies the destination node in one of the structured data objects stored in the structured data storage unit by tracing the tree structure of the one of the structured data objects according to a process request addressed to the destination node. The structured data processing unit 3 then executes the process script associated with the destination node according to the process request, and sends another process request to another node if required in the execution of the process script. See col. 2, lines 50-67; col. 4, lines 20-60.

By contrast, claim 14 is directed to an intelligent processing platform that selects an endpoint from a plurality of endpoints in which to send a communication based on a user-defined endpoint table and formats the communication for the endpoint. Specifically, claim 14 recites "accessing a user-defined endpoint table, the endpoint table correlating endpoints with routing indicators", " receiving formatting data for formatting at least some of the electronic message on each of the plurality of endpoints", "selecting at least one endpoint from a plurality of endpoints based on the routing indicator in the electronic message and the user-defined endpoint table", and "formatting at least a portion of the electronic message based on the formatting data for the at least one endpoint". This is distinct from the teachings of the Shigemi reference. The Shigemi reference, similar to the Millier reference, does not teach a method or apparatus for selecting an endpoint from a plurality of endpoints. Rather, the Shigemi reference teaches that the structured data management system is the only endpoint with the various destination nodes being nodes within structure data storage unit 2. In the present application, as discussed above, the user may have a plurality of endpoints. Depending on the "routing indicator," the platform of the present invention directs the communication is sent to an endpoint determined by the user-defined endpoint table. Moreover, claim 14 recites receiving formatting data for the plurality of

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endpoints. After determining which endpoint to send the communication to, the formatting data may be used to modify a portion of the communication for the determined endpoint. The Shigemi reference does not teach formatting in general, or formatting for a plurality of endpoints. Thus, applicants believe that claim 14, and claims 15-24 which ultimately depend on claim 14, are patentable over the cited art.

C.   Claim 32

Claim 32 was rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,742,763 to Jones. The Jones reference discloses a message delivery system using "handles" for directed messages within a network. A handle uniquely identifies an entity (such as a person, organization, corporation, etc.) within a network. Examples of handles, as discussed in the Jones reference, include "bigbear", Jane_Farnsworth", "ATT", etc. See col. 5, lines 16-18. Thus, a handle may be used as a shorthand to identify an entity, such as a person, within a network.

By contrast, claim 32 is directed to "nickname-based routing" to enable device-specific sending without the specific device address. In practice, a nickname for an endpoint is sent to the messaging platform. Based on the nickname, a database is accessed to determine the address and the type of endpoint to send the communication to. See page 12, lines 5-18 of the application. This is in contrast to the Jones reference which teaches using "handles" as a shorthand for an entity, such as a person. Messages are sent to the handle which identifies the entity to receive the message. Distinct from this, claim 32 recites "parsing the electronic message to determine a designation for a user", "parsing the electronic message to determine a nickname of an endpoint designated in the electronic message", and "accessing a database to determine an address and type of an endpoint to route the electronic message to based on the nickname". Thus, Jones does not teach or suggest using a nickname to identify an endpoint device, such as "Cellphone" or "Homephone".

Further, the Jones reference fails to teach or even suggest using a nickname to determine a type of endpoint, and formatting at least a portion of the communication based on the determined type of input, as is claimed in claim 32. See "determine . . . type of an endpoint to route the electronic message to based on the nickname"; and "formatting at least a portion of the electronic message based on the determined type of endpoint". Thus, applicants believe that claim 32, and claims 33-37 and 66-71 which ultimately depend on claim 32, are patentable over the cited art.

Applicants further introduce new claim 72 which comprises a nickname-based routing system. Claim 72 recites "parsing the electronic message to determine a nickname of an endpoint designated in the electronic message and an address associated with the nickname", "accessing a database to determine a type of endpoint to route the electronic message to based on the nickname" and "formatting at least a portion of the electronic message based on the determined type of endpoint". An example of this is disclosed in the specification at page 12, lines 14-18 wherein the electronic message is parsed for a nickname (such as "Fax") and an address (such as "3126346580"). A database may be accessed to determine the type of endpoint to route the electronic message to, and to format the message for the determined type. Moreover, as claimed in claim 73, the nickname based routing system may route the message through the platform on behalf of a designated user. See page 12, lines 14-18, "Also, the invention will enable dynamic nicknames such as JohnDoe+Fax+3126346580@centerpost.com which will route an outbound message through the platform and out to the specific fax number on behalf of John Doe's account." (emphasis in original). The features of a nickname for an endpoint, an address associated with the nickname in the electronic message, determining a type of endpoint based on the nickname, and formatting for the determined type are not taught or suggested in the Jones reference. Thus, applicants believe that the newly added claims are patentably distinct over the cited art.

D.   Claim 38

Claim 38 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,314,434 to Shigemi et al. As discussed above, the Shigemi reference discloses a structured data management system to process incoming messages. By contrast, amended claim 38 recites a message processing platform which (1) organizes messages based on an activity; and (2) updates the activity status for the activity based on a subsequently received message. In particular, claim 38 recites "organizing the first electronic message in an information folio based on the activity". Moreover, claim 38 recites "determin[ing] whether the second electronic message comprises a definition to update the activity status" and "updating the activity status for the activity". These features enable a powerful system for intelligently organizing and updating incoming messages, as disclosed for example, at page 12, line 19 through page 13, line 13 of the specification. Thus, applicants believe that none of the cited references teach the combination of organizing and updating as claimed in claim 38, and dependent claims 39-45 and 75.

E.   Claim 46

Claim 46 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,314,434 to Shigemi et al. As discussed above, the Shigemi reference teaches that, upon receipt of a message, the structured data processing unit 3 identifies the destination node in one of the structured data objects stored in the structured data storage unit. The structured data processing unit 3 then executes the process script associated with the destination node according to the process request, and sends another process request to another node if required in the execution of the process script. See col. 2, lines 50-67; col. 4, lines 20-60. The Shigemi reference only teaches one destination endpoint, and does not teach determining another destination endpoint if an acknowledgment has not been received.

By contrast, amended claim 46 recites a message processing platform which (1) routes an electronic message to a first endpoint; (2) based on the routing indicator (such as an event), determines whether the user has received the electronic message; and (3) selects and routes the electronic message to a second endpoint if it is determined that the user has not received the message. In particular, claim 46 recites "based on the routing indicator, determining whether the user received the at least a portion of the electronic message at the first endpoint", "if the user has not received the electronic message, selecting a second endpoint from the plurality of endpoints" and "routing a portion of the message to the second endpoint". These features enable a powerful system that includes escalation rules that allow intelligence routing, as disclosed for example, at page 9, lines 17-29 of the specification. Applicants believe that none of the cited references teach the intelligent escalation rules which, based on the routing indicator in the communication, determine whether the user has received the message (such as through an acknowledgement), and route the message to another endpoint if it is determined that the user has not received the message. For example, the escalation rules may be tailored such that a routing indicator signifying an urgent message may be subject to the escalation rules. Thus, applicants believe that none of the cited references teach the escalation rules as claimed in claim 46, and dependent claims 47-57 and 76.
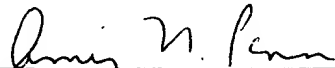
F.   Claim 58

Claim 58 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,314,434 to Shigemi et al. in view of U.S. Patent No. 5,819,046 to Johnson. As discussed above, the Shigemi reference teaches that, upon receipt of a message, the structured data processing unit 3 identifies the destination node in one of the structured data objects stored in the structured data storage unit. The Johnson reference teaches a system for requesting a response to an e-mail.

By contrast, amended claim 58 recites a message processing platform which (1) determines an endpoint to send the electronic message based on a user-defined endpoint table; (2) formats the electronic message based on the type of determined endpoint; (3) receives a response to the electronic message; and (4) gathers the message. In particular, claim 58 recites "selecting at least one endpoint from a plurality of endpoints based on the routing indicator in the electronic message and the user-defined endpoint table"; "formatting at least a portion of the electronic message based on the formatting data for the at least one endpoint"; and "gathering information from the response". These features enable a system that enables robust responses to routed electronic messages, as disclosed for example, at page 18, line 10 to page 19, line 8 of the specification. As discussed above, Applicants believe that the prior are fails to teach or suggest selecting an endpoint and formatting the electronic message based on the user-defined endpoint table. Moreover, the routing of the electronic message works in combination with the gathering of information from the response (such as by using a voice recognition apparatus to process the verbal response; see claim 60). Thus, applicants believe that none of the cited references teach the intelligent response as claimed in claim 58, and dependent claims 59-61.

6. Conclusion

Applicants respectfully submit pending claims 1-24 and 32-76 are allowable in their present form, and hereby request allowance of the claims. If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application.

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